## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

LANDON BLAIR,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action No. 4:17-cv-1690
	§	
JAMES JACKSON, M.D.; ONYX INTERESTS,	§	
LLC d/b/a EMERGICARE; PATRICK	§	
ACOSTA; CLEAR LAKE MRI CENTER;	§	
CHCA CLEAR LAKE, LP d/b/a CLEAR LAKE	§	
REGIONAL MEDICAL CENTER, VIRTUAL	§	
RADIOLOGIC CORPORATION; VIRTUAL	§	
RADIOLOGIC PROFESSIONALS OF TEXAS,	§	
P.A.; and WILLIAM Y. SPRINGER, M.D.,	§	
	§	
Defendants.	§	

## STIPULATION OF DISMISSAL OF CLAIMS AGAINST DEFENDANT WILLIAM Y. SPRINGER, M.D.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Landon Blair ("Plaintiff") files this Stipulation of Dismissal of Claims Against Defendant William Y. Springer, M.D. ("Springer") and in support respectfully shows as follows:

- 1. Plaintiff's Original Complaint, which asserted claims against Defendant Springer in this case, was filed on June 6, 2016. [Doc. No. 1].
  - 2. Defendant Springer filed his Original Answer on July 28, 2017. [Doc. No. 9].
- 3. Plaintiff files this Stipulation of Dismissal with the intention of dismissing his claims against Defendant Springer under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) without prejudice as to refiling.
- 4. As required by Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all parties have signed this Stipulation of Dismissal.

- 5. This Stipulation of Dismissal does not affect the claims asserted herein by Plaintiff against Defendants James Jackson, M.D., Onyx Interests LLC d/b/a Emergicare, Patrick Acosta, Clear Lake MRI Center, CHCA Clear Lake, LP d/b/a Clear Lake Regional Medical Center, Virtual Radiologic Corporation and Virtual Radiologic Professionals of Texas.
- 6. Defendants James Jackson, M.D., Onyx Interests LLC d/b/a Emergicare, Patrick Acosta, and CHCA Clear Lake, LP d/b/a Clear Lake Regional Medical Center reserve the right to formally designate Dr. Springer and/or Dr. Springer's practice group as "settling parties" or "settling defendants" pursuant to Chapter 33 of the Texas Civil Practice and Remedies Code.

Respectfully submitted,

/s/ Robert L. Chaiken

Robert L. Chaiken (Lead Attorney)
State Bar No. 04057830
Carrie P. Kitner
State Bar No. 24074921
Chaiken & Chaiken, P.C.
Legacy Town Center III
5801 Tennyson Pkwy, Suite 440
Plano, TX 75024
(214) 265-0250 telephone
(214) 265-1537 facsimile

ATTORNEYS FOR PLAINTIFF

rchaiken@chaikenlaw.com ckitner@chaikenlaw.com

SIGNED:
Kamilla Shlimak [w/permission]
Terry Fitzgerald / Kamilla Shlimak
Counsel for Defendants Jackson, Emergicare and Acosta
Roger A. Berger [w/permission]
J. Kevin Oncken / Roger A. Berger
Counsel for Defendants Virtual Radiologics and Springer
Chris Knudsen [w/permission]
Nicole G. Andrews / Chris Knudsen
Counsel for Defendant Clear Lake Medical Center
<b>CERTIFICATE OF SERVICE</b>
I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record via the Court's ECF system on this 6 <sup>th</sup> day of December, 2017.

/s/ Robert L. Chaiken
Robert L. Chaiken